

Ladies and gentlemen, in my career as an Air Force pilot, I was given the privilege to view the world from thirty thousand feet and above. From that altitude, armed with the responsibility and collective memory of our people's history, one can see the past, present and future. We were given the opportunity to engage and destroy the immediate threats that faced the Jewish nation. And we committed ourselves to diminish the threats to future generations.

However, the dangers to humanity are not always military in nature. They are also found in the realm of ideas: in the promotion of evil, in the active denial of evil, or even in the refusal to see evil. The United States played an important role in the founding of the State of Israel, as a shelter for the Jewish people. The commandment "To Remember" is also a commandment to remember the positive, and so we will. The Jewish People remember the American role. The Jewish People see the United States as a symbol and example of moral principle and justice. We pray that this superpower will continue to lead the world so that tragedies such as the Shoah will never be repeated in the 21st century.

#### COMBATING FRAUD AND ABUSE IN THE CHILD AND ADULT CARE FOOD PROGRAM

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 23, 2000*

Mr. GOODLING. Mr. Speaker, today I am introducing legislation to combat fraud and abuse in the Child and Adult Care Food Program (CACFP). Since 1975, when the Child and Adult Care Food Program became a separate program under the National School Lunch Act, it has provided nutritious meals and snacks to children in day care facilities and family day care homes. It operates in 37,000 day care centers and 175,000 day care homes.

Unfortunately, in recent years there have been reports of widespread fraud and abuse and deficient management practices in the program. This has meant that the full value of nutrition benefits the program delivers has been denied to many participating children. Sadly, funds that could be better used to serve children have ended up in the hands of unscrupulous program sponsors and care providers.

Hopefully, this bill puts an end to this practice. We owe it to the approximately 2.7 million children participating in this program to end the fraud, abuse, and mismanagement that is depriving them of the nutritious meals.

In August, 1999, the Office of the Inspector General (IG) at the U.S. Department of Agriculture (USDA) issued a report outlining fraud and abuse in the Child and Adult Care Food program. This report, "Presidential Initiative: Operation Kiddie Care," found that the program was highly vulnerable to abuse because most of the controls for combating fraud were vested in CACFP sponsors without any federal or state oversight. The IG found that some sponsors were using program funds for personal use and depleting the funds available to provide an effective food service program to children in day care.

Three months later (November, 1999) the General Accounting Office (GAO) issued their report, entitled, "Food Assistance: Efforts to Control Fraud and Abuse in the Child and Adult Care Food Program Should Be Strengthened." The GAO report found that the Food and Nutrition Service (FNS) had not effectively directed the states' efforts to protect against fraud and abuse. According to the GAO, state agencies claimed that a lack of resources, inadequate training in the identification of fraud and abuse, and unclear regulations on the removal of noncompliant sponsors were among the reasons why they could not strengthen the amount of control over the fraud and abuse.

To address the issues raised in these two reports, I have worked with the Early Childhood, Youth, and Families Subcommittee Chairman, Congressman MIKE CASTLE, and his Ranking Member, Congressman DALE KILDEE, the nutrition community, and the Department of Agriculture to develop a proposal that will address many of the concerns raised by the IG, the GAO, and the nutrition community. The legislation outlined below will go a long way toward ending fraud and abuse in the Child and Adult Care Food Program. Key provisions of this proposal would:

Require USDA to develop a plan for ongoing periodic training of state and sponsor staff on the identification of fraud and abuse in order to ensure that current and new employees can assist in efforts to prevent fraud and abuse.

Require a minimum number of unannounced and scheduled site visits. These visits would be in addition to site visits to program sponsors and providers with a bad record or where there is a suspicion of fraud and abuse.

Permit the secretary to withhold, in whole or in part, state administrative funds in instances where states have not met their responsibilities for oversight and training for sponsors and providers.

Provide notification to parents that their children are enrolled in a child care center or group or family day care home participating in the CACFP Program. This provision will allow parents to take action if they suspect fraud and abuse and to understand the benefits their children should receive under CACFP.

Bar the recovery of funds lost due to fraud and abuse from food dollars which benefit participating children.

Make it clear that sponsors applying for participation in CACFP must meet specific qualifications and will not automatically approved. Require the development of detailed criteria for approving new sponsors and for renewing sponsors which would include factors such as whether or not they are capable of performing the job, have appropriate business experience and adequate management plans, and whether or not there is a need for an additional sponsor in a specific area.

Limit administrative costs for sponsors of day care centers to 15 percent of the funds they disburse to decrease the potential for abuse.

Require USDA, working with states and sponsors, to develop a list of allowable administrative costs for sponsors of family day care homes and child care centers.

Require the Department of Agriculture to establish minimum standards regarding the num-

ber of monitors sponsors should employ to ensure there are sufficient monitors to visit providers and detect fraud and abuse.

Require state agencies that administer CACFP to deny approval of institutions determined to have been terminated with cause or that lost their license to operate any federally funded program.

Limit the ability of day care homes to change sponsoring organizations to once a year unless they can demonstrate they are transferring for good cause.

Require the return and reallocation of non-obligatory CACFP audit funds to the secretary for reallocation to other states with a demonstrated need for additional audit dollars.

Require sponsors to have in effect a policy that restricts other employment by employees that interferes with their responsibilities and duties with respect to CACFP.

Require the secretary to develop procedures for terminating sponsors for unlawful conduct and failure to meet their agreements with the state.

Provide for the immediate suspension of sponsors and providers in cases where there is a health or safety threat to participating children.

Finally, it appears that this bill will result in a small amount of savings in mandatory spending. It is my intention to work closely with Congressman KILDEE and others to ensure that these resources are used in a responsible way. In particular, we should explore ways to use these savings to improve the health and maintenance of those served by federal nutrition programs.

Mr. Speaker, I want to thank Chairman CASTLE, Congressman KILDEE, the U.S. Department of Agriculture, and the nutrition community for working with me to develop this proposal. We created the Child and Adult Care Food Program to benefit children, not line the pockets of unprincipled sponsors and providers. I believe the bill we are introducing today will ensure that the program works the way it was originally intended. Most importantly, it will give the states and the Department of Agriculture the tools they need to attain the goals set for the program. I urge my colleagues to support this important legislation to put an end to the waste, fraud, and abuse that has plagued this program.

#### THE RETIREMENT OF WAYNE SHACKELFORD, COMMISSIONER, GEORGIA DEPARTMENT OF TRANSPORTATION

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 23, 2000*

Mr. BARR of Georgia. Mr. Speaker, I rise today to recognize Wayne Shackelford, Commissioner, Georgia Department of Transportation, for the dedication and commitment he has made to the people of Georgia, and to congratulate him on his retirement.

Mr. Shackelford became Commissioner of the Georgia Department of Transportation on November 1, 1991. He has been active in both regional and national transportation policy